

WARRICK COUNTY BOARD OF COMMISSIONERS MEETING  
REGULAR SESSION  
COMMISSIONERS MEETING ROOM  
107 W. Locust Street, Suite 303  
Boonville, Indiana  
December 23, 2013  
4:00 P.M.

The Warrick County Commissioners met in regular session with Don Williams, President, Marlin Weisheit, Vice President and Rick Reid, Member

President Don Williams called the meeting to order.

Auditor Secretary, Angie Leslie, recorded the minutes. Auditor, Dixie Dugan, was in attendance.

PLEDGE OF ALLEGIANCE

**AREA PLAN COMMISSION**

No Business

**APPROVAL OF MINUTES**

**November 12, 2013 @ 4:p.m...Regular Session**  
**November 21, 2013 @ 3:30p.m...Payroll Session**  
**November 25, 2013 @ 4:00p.m...Regular Session**  
**December 5, 2013 @ 3:30p.m...Payroll Session**

Don Williams: There is no Area Planning Business; we'll go right to Approval of Minutes. We have the Regular Session Minutes for November 12<sup>th</sup> and November 25<sup>th</sup> and Payroll Sessions for November 21<sup>st</sup> and December 5<sup>th</sup>.

Rick Reid: I'll make a motion to approve all four (4).

Marlin Weisheit: Second.

Don Williams: I have a motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries. Thank you. Aye also, three (3), zero (0).

**ITEMS FOR DISCUSSION**

**EMS Monthly Report**

Don Williams: Items for Discussion, we have an EMS Report. You could just stay there cause we all know no news is good news. (Laughter) The Christmas present you have nobody up here wants.

Pat Rauscher: Pat Rauscher with Warrick EMS here with Tony O'Neal. Got our Operations Report for November of 2013; we've got three hundred sixteen (316) total ambulance runs, one hundred eighty seven (187) of those to local hospitals, thirty nine (39) refusals, thirty (30) hospital transfers, thirty two (32) in the other category and twenty eight (28) private runs. All of our Customer Satisfaction Surveys were satisfactory for November and we had a ninety nine percent (99%) success rate for our goal response time within agreed limits.

Don Williams: Any questions on the runs from the Board?

Marlin Weisheit: I have none.

Rick Reid: None.

Don Williams: Okay, how about the Financials.

Pat Rauscher: Okay, Financials for November of 2013; for the month our collectables were twelve thousand one hundred eighty one dollars and ninety seven cents (\$12,181.97) under budget. The reason behind that we found out that based on Thanksgiving being where it was, this late in the year...month as it was this year, a lot of the collectables did not make it into the books in that time so we should see that make up here in December, or actually we'll see it in January, talk about it for the December month. But for the year it puts us as one hundred five thousand eight hundred seventeen dollars and seventy four cents (\$105,817.74) over budget for collectables. For the Expenses for the month we had fourteen thousand seven hundred ninety three dollars and four cents (\$14,793.04) under budget and putting us for the year at two hundred one thousand four hundred fifty three dollars and seventy eight cents (\$201,453.78) under budget for expenses to date for the year.

Don Williams: Under budget is always good. Good work. Now we still got December coming, right? You expect even a little more there at the end of the year?

Tony O'Neal: Yes.

Don Williams: Okay, good. Are there any questions from the Board?

Rick Reid: No.

Marlin Weisheit: No.

Don Williams: The other question I have, the Equipment, four ninety eighty (498), run that by me one more time.

Pat Rauscher: Those were a few of the parts still for fixing the vehicle, putting things on the new response vehicle.

Don Williams: And that could go up...?

Pat Rauscher: What's that?

Tony O'Neal: That could go up, correct.

Don Williams: Okay, thank you. Any other questions? Okay, if there's no other questions, thank you very much for your report...

Tony O'Neal: We just wanted to talk a little bit about that engine real quick...

Don Williams: Oh yeah, well, I don't want to talk about it. (Laughter)

Pat Rauscher: We don't either.

Tony O'Neal: We don't either.

Don Williams: Alright, as you all should have gotten the email, we did have one of the engines blow up in the Ford, it was a 2007?

Tony O'Neal: 2007, one of the Fords that's got the six-liter Ford engine in it which is a trouble engine anyway with the Fords, um, but the crew was coming back from a transfer out of Warrick early last week or the week before last I guess and it started making a tapping noise, took it into Law, long story short they thought the valve assembly came apart; they fixed that, put it back together and continued to do it, they dug deeper into the engine and it dropped a lifter in the number two cylinder which went into the cam and now it's just got some scarring all down through it so the engines really...to rebuild that is expensive so the recommendation is to replace the engine and I did get a second opinion on it, another diesel mechanic and he did confirm that is the problem with that engine and that it did need to be replaced. So, the cost of that for the engine and labor is twelve (\$12,000.00) to sixteen thousand dollars (\$16,000.00).

Don Williams: Are we talking a rebuilt engine?

Tony O'Neal: No, this will...well, it's a new engine, I guess it would be a rebuilt but it is a new rebuilt. And it is what they consider a 'long block' which has the new turbo and the new oil cooler on it and they recommend that because with the turbo and the oil cooler on the 6-liter they were problematic too so with this new long block it comes with all new basically you drop it in, hook it up and it's ready to go.

Marlin Weisheit: How many miles is on that ambulance, Tony?

Tony O'Neal: About one hundred sixty thousand (160,000), um, and again both mechanics confirm that around one hundred sixty (160,000) they have a tendency with that number 2 cylinder or lifter dropping on that so we've got two (2) more Ford's that are about the one hundred forty two thousand (142,000) mile range so...

Marlin Weisheit: This is your highest mileage ambulance then isn't?

Tony O'Neal: Of the Ford's it is. The Chevy's, we got those Duramax's and we've got one that's got two hundred thousand (200,000) miles on it and not had a bit of problem with...but these Ford's we're...it is the highest mileage on the Ford's. But this is really one of the first major expenses that I've had to deal with in the position I'm in so we just wanted to bring it before you and since it is that amount and see if it's okay to get that repaired.

Don Williams: Yeah, that would come out of money not turned in I'm assuming like we did the last time we had an issue, through vehicle. We were talking, if I remember that ambulance new was what one hundred seventy five, one hundred eighty thousand (175,000.00-\$180,000.00)?

Tony O'Neal: Yes.

Don Williams: We're talking ten percent (10%).

Marlin Weisheit: Yeah, the new engine will probably be a better deal, I mean, cause it's got the new turbo and the new cooler.

Tony O'Neal: Yes, it has a new cooler and it is an approved engine, you know, they've seen some of the problems and flaws with the...

Marlin Weisheit: That was about the time line where Ford made the improvement's I think wasn't it?

Tony O'Neal: Yeah, 2003 to 2008 is when they did that or made that 6-liter and then they did away with that and went to the 6.4 so they made some improvements. The good thing about it, once we replace this engine it will last a long time as a backup for us.

Marlin Weisheit: Yeah, that's what I'm thinking too.

Tony O'Neal: Get you on a newer truck we can still keep that one in service for quite some time.

Marlin Weisheit: Yeah.

Don Williams: Do you have any input? What's your thought, Rick?

Rick Reid: I guess you're going to have to repair it because the cost of it is...

Don Williams: So great.

Rick Reid: Yeah, a brand new one would cost way too much for it.

Don Williams: What do you think, Marlin, fix it?

Marlin Weisheit: I think fix it cause it's got a lot of life left in it if you get the right engine back in it so, like you said for backup it'll last for a few years.

Tony O'Neal: Yeah, I agree.

Pat Rauscher: Get all of trucks and see how we can rotate them around and make sure we're getting the maximum mileage out of...

Don Williams: We need a motion, Adam, to make this official or can they do our consensus on that?

Adam Long: I think a consensus on that is alright since it's them taking the action.

Marlin Weisheit: Then they've got money in their budget don't they?

Don Williams: Yeah, you've got three (3) of us saying 'fix it' so we're in agreement with you. I assume that's what you thought you should do.

Pat Rauscher: We're just trying to figure out, I mean operational...both of us, as a big of a expense it is, the first time, being that big, do we need to come to you or do we...?

Don Williams: I think you did just right, run it by us and get us, you know our thoughts on it cause I think that's right, we agree with you.

Pat Rauscher: If we have something that's, let's say its tomorrow this happen, do we have to wait two (2) weeks to see you guys again or how...?

Don Williams: If you have an emergency situation then you don't have to wait.

Marlin Weisheit: Sometime just send us an email and tell us what you've got.

Don Williams: And you can always give Roger a call and Roger can...he can't get us on a group call, that's against the Open Door Policy, but he can ask us individually for our opinion then pass it on back right back to you, and that's done often.

Paul Rauscher: Alright, sounds good, we're just trying to figure the system...

Don Williams: On daily operational type things it's done fairly often so...

Tony O'Neal: Okay, sounds good.

Pat Rauscher: We'll get it fixed.

Don Williams: Okay, thank you, Gentlemen.

Pat Rauscher: I hope you have a Merry Christmas.

Don Williams: Merry Christmas to you all.

Marlin Weisheit: You guys have a Merry Christmas, thank you.

Tony O'Neal: Thank you.

## **DEPARTMENTAL REPORTS**

### **COUNTY ADMINISTRATOR**

#### **Discuss Payroll Questions in Conjunction with Closure of County Offices Due to Snow/Ice**

Don Williams: Okay, hang on Roger, let me find your paper here...

Roger Emmons: Okay.

Don Williams: You got Departmental Reports, we have our County Administrator which is the first and I have...

Roger Emmons: Thank you, Mr. President.

Don Williams: Hang on, Roger, I got problem with you I...what did I do with that?

Adam Long: Roger's chomping at the bit over there.

Don Williams: I read all that and I thought I put it in my folder.

Marlin Weisheit: A nickel holding up a dollar here isn't it, Roger?

Don Williams: You go right ahead, Roger.

Roger Emmons: Okay.

Don Williams: If I get to where I have to go grab it off my desk I will.

Roger Emmons: The agenda...

Adam Long: He can have that one if he wants...

Don Williams: That's alright, I read through it so I...

Roger Emmons: It listed as a discuss payroll questions in conjunction with closure of county offices due to snow and ice. December the 6<sup>th</sup> the Board decided due to the ice and snow conditions to close county offices, at least the non-emergency needed; the Sheriff's Office stayed open, Highway Department, at noon on December the 6<sup>th</sup>. We did get a couple of emails from elected officials, they had a situation with employees who had turned in benefit days, mainly vacation days well in advance of December the 6<sup>th</sup> and they wanted to know how to handle that. Don replied to use a common sense approach that if an employee took a vacation day, did not report for work, and then the vacation day should be charged. If an employee applies for the last half day off then the county closes down prior to or at the same time the half day was to begin then a vacation has not been taken. And I know that Adam and I agree that that would be a sensible solution to the issue. We don't have anything specifically in the employee handbook that covers the situation. Another one would be, say the half...vacation day was turned around, they took it the first half of the day and were going to come in the last half of the day. So, I told Marlin prior to the meeting that perhaps I could prepare some draft language for the employee handbook.

Don Williams: For a change in the handbook, I think that would be appropriate.

Roger Emmons: And get it to the Board and Adam well in advance of your next meeting for action. Now of course with winter being here the situation may come up again but I think we can just handle that as a case to case basis and do what Don did, just go with it on a common sense approach. I know Sarah Redman, the County Clerk, and it was Angela Wilder, our County Assessor, they both had those situations and they were happy that Don and Adam helped them answering those questions. So, if that's okay with the board I will do that and we can go from there.

Don Williams: Yeah, you got my consensus to go ahead.

Marlin Weisheit: Fine with me, thank you, Roger.

Roger Emmons: Okay.

Adam Long: So, Roger, you're going to draft something or you and I are going to work on something together...?

Roger Emmons: Yeah, that'd be fine.

Don Williams: Yeah, let Roger draft it, he can run it by you.

Adam Long: Sure.

#### **Confirmation of Benefits Changes ~ 2014 Plan Changes to Warrick County Health Plans**

Roger Emmons: Next item is Confirmation of Benefit Changes, 2014 Plan Changes to the Warrick County Health Plans. I emailed you on December 11<sup>th</sup>, the two (2)-page COB attached. Don had to sign it early on the 12<sup>th</sup> due to time constraints in order for MedBen to get it in place for a 1/1/2014 effective date. Most of those changes were due to the requirements under the Affordable Care Act, but there were also a few changes per the Board's implantation of certain things such as the Spousal Rule, establishment of deductibles for the PPO plan and one (1) or two (2) others so I would respectfully request that the Board pass a motion to approve the Confirmation of Benefit Changes.

Marlin Weisheit: I'd make a motion to approve that.

Rick Reid: Second.

Don Williams: I have a motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries, three (3), zero (0).

#### **2014 Holiday Ordinance (Ordinance 2013-31)**

Roger Emmons: The next item, 2014 Holiday Ordinance. I don't have...Susie didn't give me that proposed list of holidays...

Don Williams: We have it.

Roger Emmons: Okay, I didn't know if the Board wanted to act on it today or not.

Don Williams: It doesn't matter, there's no reason not too...

Roger Emmons: Okay.

Don Williams: I had Susie double check these to make sure if you'll notice we meet the 2<sup>nd</sup> and 4<sup>th</sup> Monday as we have in the past, the only difference is the month of May and we have a holiday there at the end of May as you're all aware of so instead of meeting on the 26<sup>th</sup>, which is a holiday, we're meeting on the 27<sup>th</sup> of May. Instead of Monday we're meeting on Tuesday. Everything else...we looked at the thought for the AICC, of course that's usually the first few days of December, the last of November, you can look at your thing and tell there's no conflict there so what you have in front of you should be good. And that would be Resolution probably what 2014-01?

Roger Emmons: It's an Ordinance 2013-31.

Adam Long: Yeah, the statutes require that the Holiday...

Don Williams: Oh, I'm looking at meeting days...I'm sorry, and I'm talking meeting days and you guys were going to let me get away with it.

Adam Long: The Holiday Schedule was by statute.

Don Williams: Here's a Holiday Schedule that would be an Ordinance. And that would actually...there's nothing in the law that says we have to pass this after January 1, however, our actual...the days that we meet in January, it says the first regularly scheduled meeting...does it say 'at that meeting' or 'no later than'? Do you know?

Adam Long: To be honest I think...my memory is that at the first regular session meeting of the year.

Don Williams: That's the way I remember it also so...okay, so, hang on...we need an Ordinance number, it'd be 2013 what?

Roger Emmons: 2013-31.

Rick Reid: 2013-31.

Don Williams: And if you look at it the holidays are pretty much the same, it just needs to be read in, right?

Adam Long: For an Ordinance, yes.

Don Williams:

**WARRICK COUNTY COMMISSIONERS ORDINANCE 2013-31**

**WHEREAS**, Indiana Code 5-10-6-1 provides that the Warrick County Board of Commissioners shall, by ordinance, establish dates designated to be Holidays for the year;

**NOW, THEREFORE**, be it ordained by the Warrick County Board of Commissioners that said Board establishes the following days as legal holidays for the year 2014:

**OBSERVED**

New Year's Day	Wednesday	January 1
Martin Luther King, Jr. Day	Monday	January 20
President's Day	Monday	February 17
Good Friday	Friday	April 18
Primary Election	Tuesday	May 6
Memorial Day	Monday	May 26
Independence Day	Friday	July 4
Labor Day	Monday	September 1
Election Day	Tuesday	November 4
Veterans' Day	Tuesday	November 11
Thanksgiving Break	Thu-Fri	November 27 & 28
Christmas Eve & Christmas	Wed-Thu	December 24 & 25
New Year's Eve	Wednesday	December 31

This Ordinance passed and ordained this 23<sup>rd</sup> day of December, 2013.

WARRICK COUNTY  
BOARD OF COMMISSIONERS

Don Williams  
Don Williams, President

Marlin Weisheit  
Marlin Weisheit, Vice-President

Richard A. Reid  
Richard A. Reid, Member

ATTEST:

L.B. Dugan  
L.B. "Dixie" Dugan, Auditor

Rick Reid: So you need a motion on that?

Adam Long: Yes, motion...

Don Williams: If you want to do today and if not we can still postpone it.

Rick Reid: Let's just go ahead and do it now.

Adam Long: Motion to approve on first reading, it would be the first step.

Rick Reid: I'll make a motion to approve on first reading the 2014 Holiday Ordinance, Ordinance 2013-31.

Marlin Weisheit: Second.

Don Williams: We have a motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Adam Long: Need a motion to suspend the rules to pass on night of introduction.

Marlin Weisheit: I'll make that motion.

Rick Reid: Second.

Don Williams: I have a motion to suspend the rules on night of introduction and a second also. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Adam Long: Need a motion to pass it on second and third reading by name and number only.

Marlin Weisheit: So moved.

Rick Reid: Second.

Don Williams: Motion and a second to approve Warrick County Commissioner Ordinance 2013-31 on the second and final reading.

Adam Long: You can have...then just read the name and title and have a motion.

Don Williams: Well, did I not just do that?

Rick Reid: Is that Ordinance 2013-31?

Don Williams: I just said Warrick County Commissioners Ordinance 2013-31. That's the only title on it.

Adam Long: Yep that's...oh, so there is no Holiday, it doesn't say Holiday Schedule?

Don Williams: No, it doesn't say Holiday Schedule.

Adam Long: Otherwise known as the Holiday Schedule?

Don Williams: Otherwise known as the Holiday Schedule. I have a motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Aye. Motion is approved three (3), zero (0).

**Emergency Management - 2013 Homeland Security Grant Program Sub-Grant Agreement EDS# C44P-4-054B**

Roger Emmons: Thank you, Mr. President, the next item I have is the Emergency Management Agency has a 2013 Homeland Security Grant Program Sub-Grant Agreement EDS# C44P-4-054B. In my email to you on December the 16<sup>th</sup> I described to you that the grant is for twenty one thousand five hundred dollars (\$21,500.00) and I listed the four (4) different components of that grant, I don't know if you want me to read those or not, if it's necessary, that would take the Boards approval by motion and I have the signature page for the grant.

Don Williams: If I remember right it's all for equipment?

Roger Emmons: Well, the Comil Drill is a row call exercise and that costs...

Don Williams: That's right, it was drill exercises...

Roger Emmons: Then there's an EMS Mobilization Drill, IMTT Cards Usage Drill and then the Technical Rescue Element Exercise Event and that's the main, that's the bulk of the cost at fifteen thousand (\$15,000.00).

Marlin Weisheit: I make a motion to approve.

Rick Reid: Second.

Don Williams: I have a motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries three (3), zero (0).

### **Sale of Old Lillpop Building**

Roger Emmons: Thank you. I would report also that the...regarding the sale of the old Lillpop building we have received no bids to date.

Don Williams: Okay, just a matter of discussion, and I don't think we need to act on this, personally if it's going to be done by our people we need to do it during the winter months and the question is how long do you gentlemen want to leave this open? We can close it at anytime, as far as I'm concerned we will leave it to mid-January and then at the last meeting in January we can make a decision on what to do with it.

Marlin Weisheit: That's fine with me.

Rick Reid: Probably need to let the people on the square know that because they're the ones that requested us not to tear down that building...

Marlin Weisheit: Wanting to save that building, yeah.

Don Williams: No, actually the people on the square for the most part want it tore down.

Rick Reid: They did? I...

Don Williams: The people that were arguing against it were not people living on the square or work on the square either.

Roger Emmons: I might add that I did contact Gary Crick, who had been one of the spokesmen to save that building...

Don Williams: Him and Dr. Barnett if I remember correctly.

Roger Emmons: And neither have bothered to reply.

Don Williams: And the individual who expressed some interest early on, when he found out that the rafters were all burnt and there would have to be a complete roof and everything put in it he realized he couldn't do it for what he thought he could do it and basically he's not interested.

Marlin Weisheit: Why don't you touch base with Mr. Crick one more time just to let him know that probably mid-January we're going to act on something to do with that building? But for another thirty (30) days if they can find a reasonable buyer that's willing to renovate it we're open to it, I mean, that's where we're at but if nobody shows any interest by mid-January I'll be ready to do something with it myself by then.

Don Williams: And the appraisal was for twenty five (\$25,000.00).

Roger Emmons: Yes.

Don Williams: You can tell them that and that's what we'll take to do it.

Roger Emmons: Will do.

Marlin Weisheit: You might pass that on to the Mayor too in case she knows of anybody, I mean it is in her City and let her know what...

Don Williams: I think the Mayor wants it tore down too.

Marlin Weisheit: Yeah, but I mean, let her know what we're thinking just so...

Roger Emmons: Right, yeah, I think she wants it gone too.

Don Williams: Anything else, Sir?

Roger Emmons: No, Mr. President, I believe that's it.

### **COUNTY AUDITOR**

#### **Claims**

Don Williams: Mr. Auditor, you have some claims for us, Sir?

Angie Leslie: No.

Don Williams: No claims today?

Angie Leslie: No.

Rick Reid: That's nice.

Marlin Weisheit: That's good.

## **COUNTY PURCHASING**

### **2014 Mulzer Aggregate Contract**

Don Williams: County Purchasing, Mr. Grassman, you have a couple of issues.

Joe Grassman: Joe Grassman, Purchasing Manager, the first thing is I received an offer by letter from Mulzer Crushed Stone to renew their contract. It's the 2013 Contract through 2014, of course with no changes to any of the terms which basically means that the prices stay the same from this year until next. As we've talked about many times before we know Mulzer basically controls the production all the way through the distribution of aggregate in this area which basically defines them as a single source of supply which allows you as the Board of Commissioners to renew the contract without taking competitive bids, which would be a waste of time anyway. So, my recommendation is to renew the contract with Mulzer Crushed Stone. Okay, any questions? If not, a motion?

Rick Reid: So moved.

Marlin Weisheit: Second.

Don Williams: Okay, I have a motion and a second to approve renewing the Mulzer Contract. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries.

Adam Long: Do they have the...?

Joe Grassman: I attached the Affidavit for Iran and the Unauthorized Aliens so I'm going to leave that with Roger if that's okay.

Roger Emmons: Okay.

Joe Grassman: Don needs to sign this, just that top page...

Roger Emmons: Very good.

### **County Auctioneer**

Joe Grassman: The second item on the agenda for me today is to just to get your opinion on what you want to do as far as County Auctioneer is concerned. Right now we haven't been under contract since June of this year, um, to my knowledge basically we have three (3), and maybe there's more, if there's more I'd like to know who they are, main auctioneers in this county. In the past we've contracted one or the other or actually we had a company from out of town at one time that did the auctions for the county but we were always under contract with someone to do the auctioneering of the County Surplus. So, my question to you is, do you wish to enter into a binding contract with an auctioneer for a period of time to do county auctioning or do you want to do one (1) auction at a time? What are your thoughts on this?

Don Williams: You have any thoughts, Rick, on that?

Rick Reid: I would just like to do it one at a time and that way you can kind of negotiate fees on that too sometimes.

Don Williams: If you got one at a time though every time you have to go through the quoting process on every single auction you have but we don't have that many, that's the positive side of that.

Joe Grassman: Yeah, that would be the one (1) problem is...

Don Williams: I...at one time we talked about just passing it around but I think we owe it to the citizens really probably just to quote it out every two (2) or three (3) years and take the low bidder. I'd rather do it that way but if you two (2) want to go with the single auction I can live with that. What are you...are you okay with either way?

Rick Reid: I don't really care I mean, it just seems like it's easier just too...

Marlin Weisheit: What works easier for you, Joe?

Joe Grassman: Can I make one (1) statement...?

Don Williams: How often do we have these?

Joe Grassman: Well, that's the thing, if we do it, like if every other time we...or every time we change to a different auctioneer, basically we have about every two (2) years I think, I went back, every two (2) years we have a big auction and that...who's ever turn it is when that happens is going to get that big auction and the rest of it is...there's not much that happens, so...

Don Williams: So doing it single advance is fine...

Joe Grassman: Well, yeah, but I'm saying if we use one (1) auctioneer for a small auction, let's say for one (1) vehicle and then whose next in line gets the big auction, it may not work out that the big auction is...



Don Williams: Oh, I don't think he was talking about rotating it, where you're talking about taking bids each time.

Joe Grassman: I see, okay, I gotcha. You know, it doesn't matter to me; it's really what you...

Don Williams: Well, the thing about having a contract with a single auctioneer is that if you get two (2) or three (3) items or say one (1) office gets new furniture and you got office furniture you want to get rid of, you don't have to...we don't have to store it over at the jail, we can take it up there and have him get rid of it.

Rick Reid: Right.

Don Williams: I mean that's the thing about having a more lengthily contract with an auctioneer, that's the way I would see it.

Joe Grassman: The other, let me make just one more comment before you make your decision though, we have done that in the past, we got a request for proposals from the local auctioneers and I've got the report right here and basically they all three (3) do business a little bit differently as far as how they charge their fees and it's really, really kind of hard to say 'well, this one is better than that one' when you're looking at their fee structure. So basically it comes down to who do you have the most confidence in because fee wise it's going to be very hard to make a decision.

Rick Reid: You can always write the specifications up to serve you the best too, I'm saying, here's the way we want this done.

Joe Grassman: Yes, that's true too. Yeah, we could do that, sure.

Don Williams: How hard would it be to do it that way? That sounds like a good idea.

Joe Grassman: I don't see a problem...

Marlin Weisheit: Most of the fees are pretty close though aren't they?

Joe Grassman: Yeah, that's what I'm saying, they're all kind of...they all just do it a little bit differently and there's little twists and turns about how they proceed doing it but, you know at the end of the day any one of the three would be as good as the other.

Marlin Weisheit: I think it's only fair to rotate every couple of years and let them each have it. The other two always fuss if this one has it too long and I know Johnny Ray has had it for probably what two in half years, going on three.

Don Williams: Yeah, that's why we decided to make sure it was a two year thing because we knew we had one major and we wanted that auctioneer to have his crack at the one major and not to leave anybody out.

Marlin Weisheit: Sheriff, do you have any big auction needs coming up, I mean, usually we have one every two years...

Sheriff Kruse: We probably got some stuff to get rid of.

Marlin Weisheit: Yeah, this summer would probably work out though wouldn't it if the county has an auction to get rid of some surplus items.

Roger Emmons: Could I add...Sheriff, a while back Lieutenant Weinzapfel sent an email to me that he had a list of surplus SWAT items but I've never received anything, I've asked him for an itemized...

Sheriff Kruse: Public auction...

Roger Emmons: Oh, that's right, yeah, sorry about that. Armed citizens... (Laughter)

Don Williams: Okay, what's the Board want to do? Do you want to go just rebid out the whole thing so we can get rid of stuff when it comes up or do you want to go, you know, every time we have a little bit we want to get rid of we quote it or...?

Rick Reid: I'd like to rebid it each time but knowing that we're going to try to rotate it around each time too...if they're all going to be close the same price, you know, I don't want to keep giving it to the same guy either.

Don Williams: Well, if he's the low bid and saving the tax payers money it doesn't matter. If there really is no business, I mean, surely there's some difference there, we determined it last time.

Joe Grassman: Well, we did, and I think maybe using Rick's suggestion of writing the specs so that they all...if I can get them to do it, to bid a certain spec, like 'how much would you charge if it was...?'

Rick Reid: I would just make a motion that we write up the specs and have it each time, bid it out, and we'll go with the lowest bidder on most cases.

Don Williams: Big, little, it don't matter, right? It'd be far enough apart so we should be able to do that.

Marlin Weisheit: We can try that, I'll second that.

Don Williams: Okay, a motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Okay, the motion carries. So, write some specs up, I want to see how it works.

Adam Long: Would the specs include the online option? Johnny Ray offered online didn't he?

Joe Grassman: He did, yes. I think it definitely should, I mean, I don't think it was as successful with him as it was with...

Don Williams: SRI.

Joe Grassman: SRI doing it but...

Adam Long: That's one thing that just popped in my head right after the motion was made was whether the internet sale was something that everybody shared; I'm just kind of saying that just so...kind of as an FYI.

Joe Grassman: Well, that was in the...when they got RFP's the last time on that was one of the requirements was that they have internet accessibility and they used it.

Don Williams: Yeah, that leaves out at least one auctioneer so... I understand, but we haven't really...that really hadn't benefited us that much has it?

Joe Grassman: Well, it did, like I said when SRI had it really...

Don Williams: When SRI had it...

Joe Grassman: It really did, I mean, we get...we had people bidding from all over the country. Now when Johnny Ray's done it we haven't had that kind of response and I don't know if it's just the...

Rick Reid: Probably the type of items that you have too.

Joe Grassman: Yeah, and I think maybe SRI had it maybe a little more extensive. So you want me to put that in the spec then or not?

Rick Reid: I think it's a great tool.

Don Williams: You want it online?

Marlin Weisheit: Yeah.

Don Williams: Yep, then say yes.

Rick Reid: Yes.

Marlin Weisheit: Yes.

Don Williams: So put it in there.

Joe Grassman: Alrighty, okay, that's all I have.

Don Williams: Thank you.

Joe Grassman: You're welcome.

## **COUNTY ATTORNEY**

Don Williams: Do you have anything from Engineering? Oh, I'm sorry...

Roger Emmons: County Attorney.

Don Williams: I don't want to leave Adam out. You have anything, Mr. Attorney?

Adam Long: I do not, thank you. Well, in passing and I'll just relay it on the record, in passing I was able to speak with the Commissioners individually with respect of the amicus curiae filed in the Newburgh and Chandler case that went up to the Indiana Court of Appeals and relayed the results of that to the Board which was the Court of Appeals found in favor of Newburgh. I'm unaware as to whether Chandler would appeal, I believe they have thirty (30) days to appeal it, but just wanted to make the board aware on the record as a result of action...or activities that I was asked to do on the record previously.

Don Williams: Okay, thank you for your input.

## **COUNTY ENGINEER**

### **Scales Lake Dam Project ~ Release of Retainage**

Don Williams: County Engineer, you have two (2) or three (3) items?

Brent Wendholt: Yep, I have three (3) items, first is the Scales Lake Project, um, they're requesting that they get their retainage in the amount of fifty five thousand sixty six dollars and eighty nine cents (\$55,066.89). Bobby has reviewed this and he recommends it for approval to be signed and pay them.

Roger Emmons: And I do have the release form.

Brent Wendholt: Okay.

Don Williams: What about the damages and that issue?

Brent Wendholt: Bobby and Spencer with Deig Brothers they are currently getting some kind of an agreement set up to do it. I know Metzger Construction was notified to get a price to fix the roads.

Don Williams: If we give them the retainage will that remove their motive for doing that?

Brent Wendholt: That's beyond me, I...

Adam Long: That's one thing I'd find concerning is that the retainage's release the desire to make the roads...

Don Williams: I'd personally like to us just...

Brent Wendholt: I don't know if there's a time line on this.

Don Williams: Oh, you don't? Oh, I think there is.

Marlin Weisheit: That's what I'm thinking too.

Don Williams: Yeah, and it has to do with the grant too.

Adam Long: And very well may. That's I think a question that Debbie might have raised a while back.

Don Williams: Yes, it was. I recall that. So we need it approved or not approved.

Marlin Weisheit: I'll make a motion to go ahead and approve the Release of the Retainage of fifty five thousand sixty six dollars and eighty nine cents (\$55,066.89).

Don Williams: Okay.

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries thank you.

#### **Lincoln Avenue ~ Supplemental Agreement for R/W Services**

Don Williams: Lincoln Avenue Supplemental.

Brent Wendholt: Okay, I have a Agreement for Lincoln Avenue, its Supplemental Agreement number nine (9). It is in terms of the services that they'll be able to provide us in the amount of one million two hundred seventy five thousand one hundred ninety five dollars (\$1,275,195.00)...that sounds a little high though...

Roger Emmons: Yeah, it sure does. (Laughter)

Brent Wendholt: I'm trying to find it.

Marlin Weisheit: That sounds like a lot even if you say it lightly.

Adam Long: And for the ninth supplemental agreement...

Don Williams: Does this need to be approved tonight?

Unknown Speaker: Merry Christmas.

Laughter

Brent Wendholt: I must have written a number wrong...that ain't right.

Don Williams: That would be a Merry Christmas.

Brent Wendholt: There's no way that's right. This supplemental increase at the two hundred ninety five thousand dollars (\$295,000.00), not to exceed.

Rick Reid: So is this something that the MPO's going to pay for too?

Brent Wendholt: Yes, they are also.

Marlin Weisheit: Two hundred and ninety five thousand (\$295,000.00).

Brent Wendholt: Yeah.

Marlin Weisheit: I'll make a motion to approve Supplemental Agreement number nine (9) not to exceed two hundred ninety five thousand dollars (\$295,000.00) with BLA.

Brent Wendholt: Yes.

Rick Reid: Second.

Don Williams: Motion and a second. All in favor say aye.

Marlin Weisheit: Aye.

Rick Reid: Aye.

Don Williams: Motion carries, thank you.

**Consensus for Extension of Short Road**

Brent Wendholt: And then my third and final thing is the Extension of Short Road. Short Road is down off of Staser in Newburgh. What it is is a person that's trying to build on a lot and it currently doesn't have right-of-way access so they are going to extend Short Road and make it a fourteen (14) foot wide gravel road, eight (8) inches thick. Bobby has reviewed all the plans along with myself and we both recommend it for approval. I think it's a one for...it's mainly for one (1) household so a rock road will be more substantial.

Don Williams: Yeah, it needs to be done.

Marlin Weisheit: Just a consensus is all we need on that? I'm okay with it.

Rick Reid: I'm okay.

Brent Wendholt: That's all I have.

Don Williams: I'm okay with that too in case you care.

Roger Emmons: Brent, on the Scales Lake there's also a Form 16 which is a Final Inspection and Project Completion. Megan Southwell sent it to Bobby and it says 'this form will need to be signed by you and Don once the project is complete and the County is happy with the work of Deig'. So, it says this form will be what triggers the process of Releasing the Retainage to Deig on the project but there was a separate letter for the Release of Retainage so I'm just wondering...I think this should wait until we've actually reviewed and accepted those roads being repaired that they damaged, don't you?

Brent Wendholt: As far as signing that agreement you just talked about?

Roger Emmons: I mean that you...

Brent Wendholt: Yeah, I think...

Don Williams: We need to make sure that that doesn't cost us the grant.

Brent Wendholt: Yeah, that's where this is coming from. We need to get this approved for our date on our grant. That is where this is coming from. I believe that's the reason this is being pushed through.

Marlin Weisheit: Yeah, I think so.

Roger Emmons: She stated in an earlier email that the retainage has to be released by December 31<sup>st</sup>, this year. So this form will need to be executed before that date to insure money is to Deig by that date. So, this is the Final Inspection/Project Completion that goes with this.

Brent Wendholt: It has to go with that I would assume.

Adam Long: I think that maybe...where's Bobby today?

Brent Wendholt: He's at home.

Adam Long: I think it might be good to recess, I can take a look at that Deig Contract, maybe we can get Debbie on the phone, that's something we can reserve and spend a few minutes here trying to look that up just to make sure we get it done right.

Don Williams: What do you think; we need five (5) minutes?

Adam Long: Um...five (5) to ten (10).

Roger Emmons: Do you have that contract with you?

Adam Long: No, I don't have it here. I would suspect that we have a copy here.

Roger Emmons: Okay, we can look in my office; I think I have a copy.

Brent Wendholt: I think I've got one too so...

Roger Emmons: Recess on Christmas Eve-Eve, can you image?

Don Williams: So the question...

Adam Long: Well, we can finish everything else.

Don Williams: The question is has the final inspection been made and is it satisfactory?

Roger Emmons: Right...

Don Williams: We just need to know from Bobby, right?

Roger Emmons: You know, and whether or not those repair those roads is a part of the project this is...you're expressing...

Brent Wendholt: Did they ever fill out a separate Road Use Agreement when they did this?

Roger Emmons: No, I think they started to and then it was just...Bobby said it was part of the project so maybe I answered my own question.

Marlin Weisheit: I'm convinced they're going to take care of the roads and I know there's stuff in the contract where they're going to help maintain the levy for a year and, you know...

Roger Emmons: Well, it is true that Deig has to maintain it for one (1) year following the...

Marlin Weisheit: And that's in the contract so...

Roger Emmons: Yes.

Marlin Weisheit: I mean, I'm okay with everything myself personally cause I know Bobby has been on top of this and working with them on getting them repaired but we've got to get this finished by the end of the year so... Don't want to take no chances on the grant...

Don Williams: Do we need a recess or not?

Marlin Weisheit: I'm okay with going ahead and approving everything, myself.

Adam Long: And that's certainly the Board's position to make that decision, um, I can take a look at it if somebody has that contract handy and I can see that form that Roger brought with him. We can finish the entire meeting so people can go about their way, then I can look at that.

Don Williams: We can approve it contingent upon your approval of the contract.

Adam Long: That's true. And then I'll stick around here.

Don Williams: Sounds like the way to go.

Roger Emmons: Okay.

Adam Long: That way I get to be the guy that stays late. (Laughter)

Marlin Weisheit: Do you need a motion on that, Mr. President?

Don Williams: Yes, I think we need a motion.

Adam Long: Yes, you would for approval of a document to execute. Roger, what's the document?

Roger Emmons: Final Inspection/Project Completion Labor Standards Form 16.

Adam Long: And I think it would be contingent upon Bobby and I's approval since it has to do with the inspection.

Marlin Weisheit: I'll make the motion to go ahead and approve that as long as the Attorney and County Engineer...it meets their approval.

Rick Reid: So moved.

Don Williams: Motion and a second. All in favor say aye.

Rick Reid: Aye.

Marlin Weisheit: Aye.

Don Williams: Aye. Motion carries three (3), zero (0).

Brent Wendholt: That's all I've got.

## **COUNTY HIGHWAY**

Don Williams: Anything from the Highway Department you can think of?

Brent Wendholt: No, not right now.

## **COUNTY SHERIFF**

Don Williams: Sheriff, do you have anything?

Sheriff Kruse: No, Sir.

## **COMMISSIONERS ITEMS FOR DISCUSSION**

Commissioner Williams: Commissioner Reid, do you have anything?

Commissioner Reid: No, thanks.

Commissioner Williams: Mr. Weisheit, do you have anything?

Commissioner Weisheit: I just want to add, I've enjoyed working with everybody this year, all of the office holders and I hope everybody has a Merry Christmas, a Happy New Year, looking forward to next year.

Roger Emmons: Thank you, Marlin.

Commissioner Reid: Absolutely.

Commissioner Williams: I would like to say the same thing so with that in mind I entertain a motion to adjourn.

Commissioner Reid: Motion to adjourn.

Commissioner Marlin: I second that.

Commissioner Williams: Motion and a second. We are adjourned.

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DON WILLIAMS, PRESIDENT

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MARLIN WEISHEIT, VICE PRESIDENT

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RICHARD A. REID, MEMBER

ATTEST:

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L.B. "DIXIE" DUGAN, AUDITOR  
WARRICK COUNTY, INDIANA